

REMARKS

Obviousness-type Double Patenting Rejection

Claims 1, 2, 4 and 5 are rejected over US 6,939,975.

Claim 1 is amended by specifying that the pharmaceutically acceptable carrier for diagnostic imaging is "injectable." For support see, e.g., paragraph 59 of the published application. Nothing in US '975 teaches or suggests an injectable carrier, e.g., injectable distilled water (claim 14), physiological saline (claim 15) or Ringer's solution (claim 16). None of the compositions or uses (photographic light sensitive materials) disclosed in US '975 teaches a carrier that is injectable, e.g., sterile, distilled, etc. One of ordinary skill in the art would not have used an injectable carrier for photographic purposes.

Reconsideration is respectfully requested.

The Rejection Under 35 USC § 112

Claim 1 is amended as suggested by the Examiner.

Claims 9 and 10 are cancelled without prejudice or disclaimer.

Claims 12 and 13 are amended as requested by the Examiner.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

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